

25 YEAR RE-REVIEW

REGULATION

GENERAL

10 September 1958

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CONFLICTS OF INTEREST

Rescission: [] dated 15 December 1953

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1. POLICY

An employee may not use his official position for private gain.

2. RESPONSIBILITIES

Each employee is personally responsible for ascertaining that any non-official activity or arrangement into which he enters is not prohibited by law or regulation affecting him as a Government employee.

3. STATUTORY RESTRICTIONS

The law sets certain limits to the conduct of Government employees with respect to conflicting interests (Title 18, U. S. C., sections 202, 216, 281, 283, 284, 434, and 1914). Violators may be heavily fined or imprisoned. The law is summarized below as a matter of general information. Generally, an employee may not:

- a. Transact business on behalf of the Government with a private business concern in which he has an economic interest;
- b. Assist in the prosecution of a claim against the Government;
- c. Receive private compensation for services in connection with any proceeding before an executive agency and in which the Government has an interest;
- d. Receive compensation for assisting in the procurement of a Government contract;
- e. Receive anything of value intended to influence his official acts;
- f. Receive salary from a private source for the services he performs for the Government.

4. REGULATORY RESTRICTIONS

This Agency requires that employees conduct themselves according to the highest ethical standards. Therefore, in addition to the statutory restrictions, these further limits are set by the Agency. Unless authorized in accordance with paragraph 5 of this regulation or other Agency regulations:

- a. No employee shall enter into any situation, except in the performance of his official duties, which:
 - (1) Involves the acceptance of anything of value which tends or might reasonably be interpreted as tending to influence him in the performance of his official duties;

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- (2) Involves aiding anyone improperly, or in a manner which appears to be improper, in any matter with which the employee is officially connected or about which he has official knowledge, or which involves aiding anyone in pressing a claim against or doing business with the Government;
- (3) Involves use for private purposes, by him or others, of information which is received by him officially, in confidence, or which is not generally available to the public.
- b. No employee shall participate in or attempt to influence in any way any official transaction, decision, or negotiations relating to any person or concern with whom he has within two years had, or contemplates having, any substantial private economic relationship.
- c. No employee shall enter into any contract with the Government except with respect to his own employment.

5. PROCEDURES FOR APPROVAL OF EXCEPTION

- a. An employee wishing to enter into or remain in a situation or activity which appears to be prohibited under paragraph 4a or b above may submit a detailed request through channels to the appropriate Operating Official, who shall:
 - (1) Determine whether a proposed activity is of such a nature as to be prohibited by this regulation;
 - (2) Determine whether the activity, if prohibited by paragraph 4a or b of this regulation only, is sufficiently desirable otherwise, such as for operational reasons, to justify an exception to the prohibition, in which instance written authorization by the Operating Official will suspend this regulation with respect to that activity.

If the acceptance of a gift is involved, this regulation should be read in conjunction with **Acceptance of Gifts by Employees**. However, if the gift is on behalf of a foreign government, **Foreign Awards and Decorations**, should be followed.

- b. If in doubt concerning the legality of a proposed activity, the employee concerned, or his superiors, may submit a written request for the opinion of the General Counsel, setting forth the facts in detail. The request should indicate prior administrative approval of the activity by the appropriate Operating Official.
- c. An employee wishing to enter into a contract with the Government other than with respect to his own employment shall submit a detailed request for approval through channels to the appropriate Operating Official, and shall attach the proposed contract. If the request is approved, the Operating Official shall forward it to the General Counsel for concurrence.

6. REPORTS

The Deputy Directors and the Special Assistant to the Director of Central Intelligence shall report immediately to the Inspector General and the General Counsel any situation in which:

- a. An employee or former employee appears to be representing a private interest with respect to a matter in which confidence has been reposed in him as an employee, or
- b. An employee appears to be violating any other provision of this regulation.

7. VIOLATIONS

Violations of this regulation may constitute grounds for immediate dismissal from the Agency. Employees so dismissed may be subject to prosecution under the provisions of the conflicts-of-interest statutes.

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8. NOTICE TO SUPERVISORS

Supervisors will be responsible for bringing this regulation to the attention of all employees under their jurisdiction at the time of publication, and all new employees when they enter on duty.

FOR THE DIRECTOR OF CENTRAL INTELLIGENCE:

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(Support)

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